

PETITION FOR ZONING VARIANCE 84-113-A TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A01.3.8.3. (301.1) for permit a side yard setback of 17' 6" in lieu of the required 26' 3"

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
This will enable the handicapped person(wife) living at this address safer access to vehicles during inclement weather, especially snow and ice.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Attorney for Petitioner: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Attorney's Telephone No.: _____
Address _____
Phone No. _____

Legal Owner(s):
Charles D. Robertson
(Type or Print Name)
Signature _____
Ruth Ann Robertson
(Type or Print Name)
Signature _____
1106 Mt. Carmel Rd. 357-5932
Address Phone No.
Parkton, Md. 21120
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 16th day of August 1983, at the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 1st day of November, 1983, at 10:00 o'clock A.M.

Carl J. Jahn
Zoning Commissioner of Baltimore County.

(over)

Mr. & Mrs. Charles D. Robertson
1106 Mt. Carmel Road
Parkton, Md. 21120

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 16th day of August, 1983.

Arnold Jablon
Zoning Commissioner

Petitioner: Charles D. Robertson, executed by *Charles D. Robertson*
Petitioner's Attorney: _____
Chairman, Zoning Plans Advisory Committee

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
N/S Mt. Carmel Rd., 475' W of : OF BALTIMORE COUNTY
Masemore Rd., 7th District

CHARLES D. ROBERTSON, et ux : Case No. 84-113-A
Petitioners

ORDER TO ENTER APPEARANCE

Mr. Commissioners:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 10th day of October, 1983, a copy of the foregoing

Order was mailed to Mr. and Mrs. Charles D. Robertson, 1106 Mt. Carmel Rd., Parkton, MD 21120, Petitioners.

John W. Hession, III
John W. Hession, III

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P. E.
DIRECTOR

September 16, 1983

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #46 (1983-1984)
Property Owner: Charles D. & Ruth A. Robertson
N/S Mt. Carmel Rd. 475' W. of Mace Moore Rd.
Acres: 109.32/110.00 X 252.58/265.28
District: 7th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not involved.

Mt. Carmel Road (Wd. 137) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road cross under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 46 (1983-1984).

Very truly yours,
Robert A. Morton, P.E.
ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:EM:FW:iss
HHS-GW Key Sheet
108 NW 14 Pos. Sheet
NW 27 D Topo
21 Tax Map

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 24, 1983

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

080
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. & Mrs. Charles D. Robertson
1106 Mt. Carmel Road
Parkton, Maryland 21120

RE: Item No. 46 - Case No. 84-113-A
Petitioner - Charles D. Robertson, et ux
Variance Petition

Dear Mr. & Mrs. Robertson:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc
Enclosures

Maryland Department of Transportation
State Highway Administration

Lowell K. Bridwell
Secretary
M. S. Caltrider
Administrator

September 2, 1983

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attention: Mr. N. Commodari

Re: ZAC Meeting of 8-16-83
ITEM: # 46.
Property Owner: Charles D. & Ruth A. Robertson
Location: N/S Mt. Carmel Rd.
Route 137, 475' W. of Mace Moore Road
Existing Zoning: R.C. 2
Proposed Zoning: Variance to permit a side yard setback of 17'6" in lieu of the required 26'3"
Acres: 109.32/110.00 X 252.58/265.28
District: 7th

Dear Mr. Jablon:

On review of the site plan and field inspection, the State Highway Administration finds the plan generally acceptable.

Very truly yours,
Charles Lee
Charles Lee, Chief
Bureau of Engineering
Access Permits

CL:GW:maw

cc: Mr. J. Ogle

My telephone number is (301) 659-1350
Teletypewriter for impaired Hearing or Speech
363-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717 707 North Calvert St., Baltimore, Maryland 21203 - 0717

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should/should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 2nd day of November, 1983, that the herein Petition for Variance(s) to permit a side yard setback of 17 feet 6 inches in lieu of the required 26 feet 3 inches for the expressed purpose of constructing an attached open carport, in accordance with the site plan filed herein, is GRANTED, from and after the date of this Order, subject, however, to the approval of said plan by the Office of Planning and Zoning.

John M. Dwyer
Deputy Zoning Commissioner of
Baltimore County



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

September 1, 1983

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 43, 44, 45, 46, 47, and 48 ZAC - Meeting of August 16, 1983
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments for item numbers 43, 44, 45, 46, 47, 48.

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Assoc. II

MSF/ccm

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 46, Zoning Advisory Committee Meeting of Aug. 14, 1983
Property Owner: Charles D. + Ruth A. Robertson
Location: 713 Mt. Carmel Road District 7
Water Supply private Sewage Disposal private

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- () Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

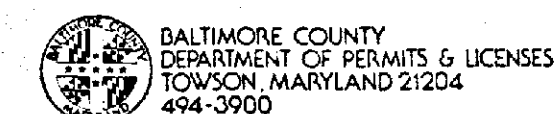
Zoning Item # 46
Page 2

- () Any existing underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled.
- () Soil percolation tests have been conducted.
{ } The results are valid until
{ } Revised plans must be submitted prior to approval of the percolation tests.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
{ } shall be valid until
{ } is not acceptable and must be retested. This must be accomplished prior to conveyance of property or approval of Building Permit Applications.
- () All roads and parking areas should be surfaced with a dustless, bonding material.
- (X) No health hazards are anticipated.
- (X) Others This property is served by private water and sewer, both of which appear to be functioning properly. The proposed carport will not interfere with the systems.

Ian J. Forrest
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1080 (2)

The property is located on the north side of Mount Carmel Rd. 475 ft. west of Masemore Road and thence running south 55° 31' 40" west 109.32 ft. and North 20° 20' 00" west 252.58 ft. and north 48° 54' 15" east 110 ft. and south 21° 13' 15" east 265.28 ft. to point of beginning. Also known as 1106 Mount Carmel Road.



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3900

September 21, 1983

TED ZALESKI, JR.

DIRECTOR
Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 16 Zoning Advisory Committee Meeting are as follows:

Property Owner: Charles D. & Ruth A. Robertson
Location: 713 Mt. Carmel Road 1/2 S. of Vase Moore Road
Existing Zoning: R.C. 2
Proposed Zoning: Variance to permit a side yard setback of 17'6" in lieu of the required 26'3".
Acres: 109.32/110.00 x 252.58/265.28
District: 7th

The items checked below are applicable:

- X A. All structure shall conform to the Baltimore County Building Code 1981/ Council Bill 1-82 Residential Commercial Industrial Manufacturing Other and other applicable Codes.
- X B. A building and other miscellaneous permits shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal 10/4 not required.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. An exterior wall erected within 6'0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line. See Table 101, line 3, Section 1107 and Table 1102.
- F. Requested variance conflicts with the Baltimore County Building Code, Section/s
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three revised sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed con comply with the height/area requirements of Table 205 and the required construction classification of Table 101.
- I. Comments:

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of my permit. If desired, additional information may be obtained by visiting Room #222 (Plans Review) at 111 West Chesapeake Ave., 21204.

Very truly yours,

Charles E. Rummel
Charles E. Rummel, Chief
Plans Review

02:rrrj

FORM 01-82

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: August 15, 1983

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: August 16, 1983

RE: Item No: 43, 44, 45, 46, 47, & 48
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

The above referenced item numbers have no bearing on student population.

Very truly yours,

Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

PETITION FOR VARIANCE

7th Election District

ZONING: Petition for Variance
LOCATION: North side Mount Carmel Road, 475 ft. West of Masemore Road
DATE & TIME: Tuesday, November 1, 1983 at 10:00 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 17 ft. 6 inches in lieu of the required 26 ft. 3 inches

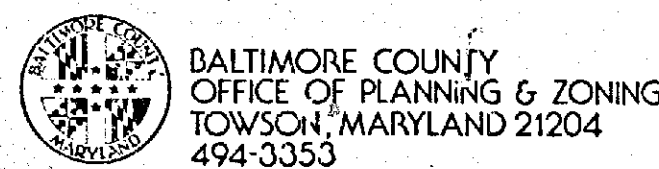
The Zoning Regulation to be excepted as follows:
Section 1A01.3B.3 (301.1) - side yard setback for an open structure in R.C. 2 zone
All that parcel of land in the Seventh District of Baltimore County

Being the property of Charles D. Robertson, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

MAR 16 1984



ARNOLD JABLON
ZONING COMMISSIONER

November 2, 1983

Mr. and Mrs. Charles D. Robertson
1106 Mt. Carmel Road
Parkton, Maryland 21120

RE: Petition for Variance
N/S Mount Carmel Rd., 475' W of
Masemore Rd. - 7th Election
District
Charles D. Robertson, et ux
Petitioners
NO. 84-113-A (Item No. 46)

Dear Mr. and Mrs. Robertson:

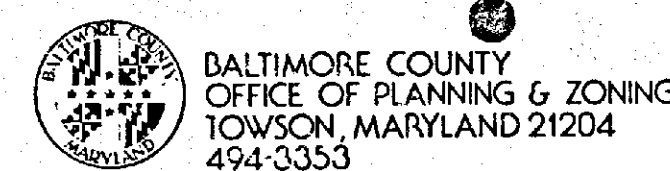
I have this date passed my Order in the above captioned matter
in accordance with the attached.

Very truly yours,
Jean M.H. Jung
JEAN M.H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: John W. Hessian, III, Esquire
People's Counsel



ARNOLD JABLON
ZONING COMMISSIONER

October 25, 1983

Mr. and Mrs. Charles D. Robertson
1106 Mt. Carmel Road
Parkton, Maryland 21120

Re: Petition for Variance
N/S Mt. Carmel Rd., 475' W of
Masemore Road
Case No. 84-113-A

Dear Mr. and Mrs. Robertson:

This is to advise you that \$55.59 is due for advertising and posting
of the above property. This fee must be paid before an Order is issued.

Please make the check payable to Baltimore County, Maryland, and
remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building,
Towson, Maryland 21204, before the hearing.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 122961

DATE 11/1/83 ACCOUNT R-01-615-000

AMOUNT \$55.59

RECEIVED Charles D. Robertson

FOR Advertising & Posting Case 84-113-A

1/861. 0 025*****355910 20124

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 119440

DATE 8/4/83 ACCOUNT 01-615-000

AMOUNT 35.00

RECEIVED Charles D. Robertson

FOR Filing Fee Case 84-113-A

1/861. 0 030*****355010 80424

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map date by	Original date by	Duplicate date by	Tracing date by	200 Sheet date by
Descriptions checked and outline plotted on map					
Petition number added to outline					
Denied					
Granted by ZC, BA, CC, CA					
Reviewed by: <i>Wen</i>		Revised Plans: Change in outline or description Yes			
Previous case: <i>IT-#96</i>		Map # <i>ZE</i>			

154511068

CERTIFICATE OF PUBLICATION

TOWSON, MD. 10/18/83

THIS IS TO CERTIFY, that the annexed
advertisement was published in the TOWSON
TIMES, a weekly newspaper distributed in
Towson, Baltimore County, Md., once a
week for 1 successive weeks,
the first publication appearing on the
12th day of Oct 1983.

THE TOWSON TIMES
M.H. Angello
Cost of Advertisement, \$27.84

October 25, 1983

Mr. and Mrs. Charles D. Robertson
1106 Mt. Carmel Road
Parkton, Maryland 21120

NOTICE OF HEARING

Re: Petition for Variance
N/S Mt. Carmel Rd., 475' W of
Masemore Road
Charles D. Robertson, et ux - Petitioners
Case No. 84-113-A

TIME: 10:00 A.M.

DATE: Tuesday, November 1, 1983

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

Arnold Jablon
Zoning Commissioner
Baltimore County

PETITION FOR VARIANCE
The Petitioner Charles D. Robertson, et ux, 1106 Mt. Carmel Road, Parkton, Maryland 21120, hereby petitions the Zoning Commission of Baltimore County, Maryland, for a Variance from the Zoning Ordinance, Chapter 21, Article 10, Section 10-101, to allow the construction of a two-story, detached, single-family dwelling on the property located at the intersection of Mount Carmel Road and Masemore Road, N/S Mount Carmel Road, 475' W of Masemore Road, 7th Election District, Case No. 84-113-A.

CERTIFICATE OF PUBLICATION

TOWSON, MD. October 12, 1983

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., 84-113-A
of one time, before the 1st day of November, 1983, the 8th publication
appearing on the 12th day of October
1983.

THE JEFFERSONIAN
L. J. Smith
Manager

Cost of Advertisement, \$22.75

